



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

MEH:ddj

Docket No: 7725-99

11 April 2000

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

[REDACTED]

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 11 April 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by BUPERS memorandum 1160 PERS 815 of 9 March 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1160
PERS-815
9 Mar 00

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD

Via: PERS-00ZCB

Subj: BCNR PETITION ICC [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 4 Nov 99
(b) NAVADMIN 047/98
(c) OPNAVINST 1160.6A

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of petitioner's request.

- Petitioner discharged from the Navy on 1 Mar 1994. Petitioner's time in service upon discharge was exactly 3 years 3 months and 28 days. Petitioner's paygrade upon date of separation was E-3(ATAN).

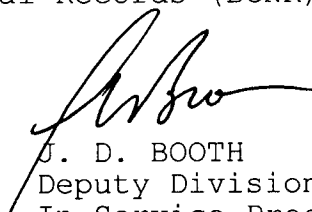
- Petitioner reentered the Navy on 9 Jul 1998 for 4 years. Reference (b) listed a zone "A" SRB entitlement for the AT(0000) rate at the time petitioner reentered the Navy.

- Petitioner requests to receive a zone "A" broken service SRB entitlement offered in reference (b) for his NAVET enlistment on 9 Jul 1998.

- Per reference (b), designated strikers are not eligible for broken service SRB. Only members in paygrade E4 and above are eligible for broken service SRB.

2. In view of the above, recommend petitioner's record not be changed.

3. This is an advisory memorandum to reference (a) for the use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.


J. D. BOOTH
Deputy Division Director
In-Service Procurement &
Transfers Division